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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/646,516

Applicant: Thomas C. Pederson

Filed: August 21, 2003

Title: METHOD OF INCORPORATING BROMINATED COMPOUNDS AS ADDITIVES TO  
EXPANDED POLYSTYRENE MOLDED PATTERNS FOR USE IN LOST FOAM  
ALUMINUM CASTING

Art Unit: 1725

Examiner: Kerns, Kevins P.

Attorney Docket No.: GP-301710

**ELECTION**

Sir:

This is Applicant's response to the Office Action of September 10, 2005 in which claims 1-52 were the subject of an election/restriction requirement. Applicant hereby formally elects to prosecute the invention of Group II, claims 21-36, with traverse.

The Examiner has taken the position that this Application includes claims directed to the

following patentably distinct species of the claimed invention:

Group I, claims 1-20, drawn to a process that includes the step of forming a molded pattern from polystyrene beads and topically applied brominated compounds, with the brominated compounds comprising a brominated alkane.

Group II, claims 21-36, drawn to a process that includes the step of topically applying a finely divided powder onto a plurality of polystyrene beads, pre-expanding the polystyrene beads to form a molded pattern and a lost foam casting mold, and pouring molten metal into the mold.

Group III, claims 37-51, drawn to a process that includes the step of topically applying brominated compounds to a plurality of polymer beads and forming a molded pattern from the polymer beads.

Group IV, claim 52, drawn to a process that includes the step of topically applying a finely divided powder comprising brominated compounds including a carbon chain to a plurality of polymer beads, without forming a molded pattern.

Applicant agrees with the Examiner that the claims in Groups I-IV are patentably distinct from each other, but Applicant denies that the inventions are independent.

The Examiner's attention is respectfully directed to 35 USC 121 which states: "if two or

more independent and distinct inventions are claimed in one application, the director may require the application to be restricted to one of the inventions." Examples of independent inventions would be an invention to a shoe and an invention to a combustion engine. The shoe and the combustion engine have nothing in common and therefore are unrelated and independent of each other. In contrast, all of the inventions of Group I-IV relate to processes involving topically applying brominated compounds to polymeric beads, and as such are related and are not independent of each other. Furthermore, the inventions were included together in one application to ensure that other statutory requirements were met such as, for example, the best mode requirement. As such, the claims were properly included in one application.

Applicant maintains that the Examiner would have to search for the same limitations involving topically applying brominated compounds to polymeric beads for all four groups of inventions. An additional burden on the Examiner has not been established.

In view of the above remarks, Applicants respectfully request the Examiner to withdraw the restriction requirement.

Respectfully submitted



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